

Message Text

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ACTION NEA-10

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-05 H-01
INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15
ICA-11 AID-05 PC-01 IO-13 /095 W
-----061284 261139Z /20

R 241141Z JUL 78
FM AMEMBASSY NEW DELHI
TO SECSTATE WASHDC 2943
AMCONSUL BOMBAY
AMCONSUL CALCUTTA
AMCONSUL MADRAS
AMEMBASSY COLOMBO
AMEMBASSY DACCA
AMEMBASSY ISLAMABAD
AMEMBASSY KABUL
AMEMBASSY KATHMANDU
AMEMBASSY MOSCOW
CINCPAC

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C O R R E C T E D C O P Y (TEXT PARA 1, LN 5, CORRECTED)

CINCPAC FOR POLAD

E.O. 11652: N/A
TAGS: PINT, IN
SUBJECT: MRS. GANDHI, OTHERS CHARGE SHEETED IN THE
"JEEP CASE"

1. ON JULY 22 THE CENTRAL BUREAU OF INVESTIGATION
(CBI) FILED A CHARGE SHEET IN COURT AGAINST INDIRA
GANDHI AND FIVE OTHERS FOR ALLEGEDLY MISUSING THEIR
OFFICIAL POSITIONS TO PROCURE JEEPS FOR CONGRESS
PARTY CAMPAIGNING IN THE 1977 LOK SABHA ELECTIONS.
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THE SESSIONS COURT JUDGE, J.\$ JAIN, HAS SUMMONED
MRS. GANDHI AND THE OTHER ACCUSED TO APPEAR IN
HIS COURT ON AUGUST 23 TO ANSWER THE CHARGES,

2. THE CBI CHARGE SHEET ALLEGES THAT THE ACCUSED
CONSPIRED AND COMMITTED SUBSTANTIVE OFFENSES UNDER THE
PREVENTPAN OF CORRUPTION ACT AND THE INDIAN PENAL

CODE (IPC). IT STATED THAT THE ACCUSED OBTAINED THE USE OF 139 JEEPS FROM A BOMBAY FIRM WITHOUT PAYMENT OF THE COST OR RENTAL CHARGES AND THAT THESE JEEPS WERE SUBSEQUENTLY USED FOR ELECTION PURPOSES IN MRS. GANDHI'S HOME CONSTITUENCY OF RAE BARELLI AND ADJOINING DISTRICTS. AMONG THE OTHER ACCUSED ARE P.C. SETHI, ONCE TREASURER OF THE CONGRESS PARTY, AND R.K. DHAWAN, MRS. GANDHI'S FORMER ADDITIONAL PRIVATE SECRETARY.

3. THIS SO-CALLED "JEEP CASE" WAS ONE OF THE TWO CASES UPON WHICH MRS. GANDHI WAS ARRESTED BY THE CBI LAST OCTOBER 3. THE CBI'S CHARGES AGAINST HER WERE DISMISSED BY A DISTRICT MAGISTRATE THE FOLLOWING DAY ON THE GROUNDS OF INSUFFICIENT EVIDENCE. IN THE INTERIM, THE CBI CONTINUED THE INVESTIGATION WHICH ULTIMATELY RESULTED IN THE JULY 22 CHARGE SHEET. WHAT IS NOT CLEAR AT THIS POINT IS WHETHER THE CBI HAS GATHERED ENOUGH EVIDENCE TO CONSTRUCT A SOLID CASE AGAINST THE FORMER PM.

4. A SESSIONS COURT IS AN ACTUAL CRIMINAL TRIAL COURT. HOWEVER, GIVEN THE INDIAN JUDICIAL SYSTEM'S MANY OPPORTUNITIES FOR DELAYS AND APPEALS, IT IS LIKELY THAT ANY TRIAL OF MRS. GANDHI AND THE OTHERS IN THE "JEEP CASE" COULD DRAG ON FOR A CONSIDERABLE PERIOD OF TIME. (IT SHOULD BE NOTED THAT THIS CASE LIMITED OFFICIAL USE

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IS ENTIRELY SEPARATE FROM THE SIX FIRST INFORMATION REPORTS FILED AGAINST MRS. GANDHI AND OTHERS ON JULY 11 IN CONJUNCTION WITH THE INTERIM FINDINGS OF THE SHAH COMMISSION.)

5. ELSEWHERE ON THE LEGAL FRONT, THE TRAIL OF SANJAY GANDHI AND FORMER INFORMATION MINISTER V.C. SHUKLA IN THE "KISSA KURSI KA" CASE CONTINUES IN DELHI. ALSO CONTINUING ARE THE HEARINGS BEFORE A DELHI DISTRICT MAGISTRATE ON CHARGES THAT MRS. GANDHI DEFIED THE SHAH COMMISSION LAST JANUARY BY REFUSING TO TAKE AN OATH AND REFUSING TO GIVE EVIDENCE.
GOHEEN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CORRUPTION, TRIALS, POLITICAL LEADERS, JEEPS, COURT PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 24 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978NEWDE11249
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780316-0728, D780304-0875
Format: TEL
From: NEW DELHI
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780727/aaaaawwx.tel
Line Count: 107
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: d332f96d-c288-dd11-92da-001cc4696bcc
Office: ACTION NEA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1908134
Secure: OPEN
Status: NATIVE
Subject: MRS. GANDHI, OTHERS CHARGE SHEETED IN THE \"JEEP CASE\"
TAGS: PINT, IN, (GANDHI, INDIRA), (GHANDI, INDIRA)
To: STATE BOMBAY
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/d332f96d-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014